

PROB 12B
(7/93)

Report Date: February 28, 2006

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

MAR 03 2006

Eastern District of Washington

JAMES R. LARSEN, CLERK
RICHLAND, WASHINGTON DEPUTY

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Richard Lee Booth

Case Number: 2:05CR00040-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 05/26/2005

Type of Supervision: Probation

Original Offense: Possession of Child Pornography,
in violation of 18 U.S.C. § 2252.A(a)(5)(B)

Date Supervision Commenced: 05/26/2005

Original Sentence: Probation - 60 Months

Date Supervision Expires: 05/25/2010

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 15 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 16 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug and/or alcohol tests per month.

The offender signed the "Waiver of Hearing to Modify Conditions of Supervised Release," on February 28, 2006. He understands the rationale behind this modification. Mr. Booth continues to submit to breathalyzer and drug testing. To date all breathalyzer and urine specimens provided by Mr. Booth have been negative.

Respectfully submitted,

by



Brenda J. Kuest
U.S. Probation Officer

Date: February 28, 2006

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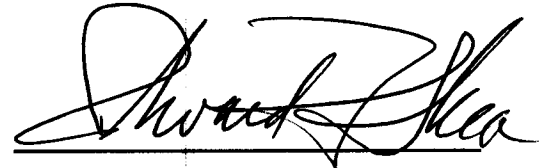
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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

3/02/06

Date